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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,442	09/30/2003	Diane Simona Bettina Schmidt	11884/406301	2618

23838 7590 09/14/2007
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EXAMINER

SHAIKH, MOHAMMAD Z

ART UNIT	PAPER NUMBER
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3609

MAIL DATE	DELIVERY MODE
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09/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/673,442

Applicant(s)

SCHMIDT, DIANE SIMONA
BETTINA

Examiner

Mohammad Z. Shaikh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections- 35 U.S.C § 101

1. The following is a quotation of 35 U.S.C. 101:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11&14 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter.

Claims 11&14 recite interest day types and assigning interest day types. The claims fail to produce useful, concrete and tangible results since the defining and assigning are not transformed into another parameter that produces useful, concrete and tangible results.

Claim Rejections- 35 U.S.C § 102

2. The following is a quotation of 35 U.S.C 102 which forms the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

3. Claims 1-10,12,15-20 are rejected under 35 U.S.C 102 (b) as being anticipated by Rosenwald U. S. Patent 6,038,550.

As per claim 1, Rosenwald discloses a method for managing intra-day interest calculations for a bank account (column 10, lines 43-46), comprising:

- (a) setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span

of a day at which respective net account balances are to be used in an interest calculation for the account (column 1, lines 66-67).

(b) determining the balances for the account for the balance determination times (column 1, lines 65-66)

(c) determining applicable conditions for the interest calculation, the conditions 10 relating to an interest rate to be applied based on time of day (column 2, lines 5-8.

(d) providing the account balances and applicable conditions to interest calculation logic; and (e) recording a result of operations by the interest calculation logic (column 2, lines 8-13).

Regarding claim 2, Rosenwald discloses the method of claim 1, wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 3-4, Rosenwald discloses the method of claim 1, wherein the balance determination times define intervals of an hour and a second (column 2, lines 5-8).

Regarding claims 5&6, Rosenwald discloses the method of claim 1, further comprising assigning a value time to a transaction to the account, the value time corresponding to a time when the transaction is included in a balance determination (column 2, lines 19-25).

Regarding claim 7, Rosenwald discloses the method of claim 1, wherein the conditions depend on a calendar day on which the interest is calculated (column 5, lines 66-67; column 6, lines 1-3).

Regarding claim 8, Rosenwald discloses the method of claim 1, wherein based on the conditions, an interest rate used in performing the interest calculation may change from a first time interval to a second time interval (column 7, lines 7-10).

Regarding claims 9&10, Rosenwald teaches a method for managing intra-day interest calculations for a bank account (column 12, lines 34-36), comprising:

(a) Receiving a designation of a bank account to receive intra-day interest calculation (Column 5, lines 11-12).

(b) Receiving transaction information for the account, the transaction information including a value time specifying when a transaction is to be taken into account for interest calculation (Column 6, lines 7-9)

(c) Receiving a specification of a plurality of points in time for determining corresponding account balances for use in calculating an interest on the bank account, wherein the points of time correspond to a plurality of times within a day, (d) for each of the points in time, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time (column 8, lines 28-36).

(d) For each of the points in time, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time (column 8, lines 28-36).

(e) For each of the points in time, determining an applicable interest rate; (f) providing the account balances and the applicable interest rates to interest calculation logic; and (g) generating a record of interest amounts calculated by the interest calculation logic (Fig 5).

Regarding claim 12, Rosenwald discloses a system comprising: a memory including computer-executable instructions; a processor coupled to the memory to execute the instructions (column 10, lines 60-64), the instructions comprising:

Intra-day interest account management software configured to receive information relating to an intra-day interest calculation, the intra-day interest calculation relating to a calculation of interest on an account for points of time corresponding to a plurality of times within a day, the information (column 10, lines 54-59) including:

Transaction information including a value time relating to when a transaction to the account is included in the account balance for interest calculation (column 8, lines 28-36).

Conditions applicable to the interest calculation, the conditions relating to interest rates to be applied based on time of day (Fig 5).

As per claim 15, Rosenwald discloses a system comprising: a memory including computer-executable instructions; a processor coupled to the memory to execute the instructions, the instructions when executed implementing a process for managing intra-day interest calculation for a bank account (column 10, lines 60-64), the process comprising:

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(a) setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a day at which respective net account balances are to be used in an interest calculation for the account

(b) determining the balances for the account for the balance determination times (column 8, lines 28-36).

(c) determining applicable conditions for the interest calculation, the conditions relating to an interest rate to be applied based on time of day; (d) providing the account balances and applicable conditions to interest 5 calculation logic; (e) recording a result of operations by the interest calculation logic (Fig 5).

Regarding claim 16, Rosenwald discloses the system of claim 15, wherein the balance determination times wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 17, Rosenwald discloses the system of claim 15, the process further comprising assigning a value time to a transaction to the account, the value time corresponding to a time when the transaction is included in a balance determination, wherein the value time is specified 15 with an accuracy to the second (column 2, lines 19-25).

Regarding claim 18, Rosenwald discloses a machine-readable medium storing computer-executable instructions for performing a method for managing intra-day interest calculation for a bank account (column 10, lines 41-42; column 10, lines 44-46), the method comprising:

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(a) setting balance determination times for the account, the balance determination times corresponding to a plurality of points in time within the span of a day at which respective net account balances are to be used in an interest calculation for the account (b) determining the balances for the account for the balance determination times (column 8, lines 28-36).

(c) determining applicable conditions for the interest calculation, the conditions 25 relating to an interest rate to be applied based on time of day; (d) providing the account balances and applicable conditions to interest calculation logic; and (e) recording a result of operations by the interest calculation logic (Fig 5).

Regarding claim 19, Rosenwald discloses the machine-readable medium of claim 18, wherein the balance determination times wherein the balance determination times define intervals of arbitrary length (column 10, lines 51-52).

Regarding claim 20, Rosenwald discloses a machine-readable medium storing computer-executable instructions for performing a method for managing intra-day interest calculation for a bank account (column 10, lines 41-42; column 10, lines 44-46), the method comprising:

(a) Receiving a designation of a bank account to receive intra-day interest calculation (Column 5, lines 11-12)

(b) Receiving transaction information for the account, the transaction information including a value time specifying when a transaction is to be taken into account for interest calculation (Column 6, lines 7-9)

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(c) Receiving a specification of a plurality of points in time for determining corresponding account balances for use in calculating an interest on the bank account, 15 wherein the points of time correspond to a plurality of times within a day;(d) for each of the points in time, determining a corresponding account balance, the account balance at a given point in time at least partly depending on the value time (column 8, lines 28-36).

(e) For each of the points in time, determining an applicable interest rate; (f) providing the account balances and the applicable interest rates to interest 20 calculation logic; and (g) generating a record of interest amounts calculated by the interest calculation logic (Fig 5).

Claim Rejections 35 U.S.C § 103

4. The following is a quotation of 35 U.S.C 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 11,13-14 are rejected under 35 U.S.C 103(a) as being unpatentable over U.S. Patent 6,038,550 to Rosenwald, in view of Lipschutz et al (US 2003/0120566), herein referred to as Lipschutz.

As per claim 11, Rosenwald teaches the method of claim 9 above. However Rosenwald does not specifically disclose the method of claim 9, wherein (e) comprises referring to an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith. Lipschutz does teach an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith (page 4, paragraph 72, lines 3-8). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include an interest calendar that classifies days according to differing interest day types, each type having an interest rate associated herewith.

As per claim 13, Rosenwald teaches the system of claim 12. However Rosenwald does not specifically disclose the system of claim 12, wherein the intra-day interest account management software is configured to implement a user interface providing for entry of the information. Lipschutz does disclose the intra-day interest account management software is configured to implement a user interface providing for entry of the information (page 15: "At least one user interface.... at least one user). Therefore it would have been to one of ordinary skill in the art at the time of the invention to modify Rosenwald's invention to include the intra-day interest account management software is configured to implement a user interface providing for entry of the information.

As per claim 14, Rosenwald teaches the system of claim 12. However Rosenwald does not specifically disclose the intra-day interest account management

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software comprises an interest calendar, the interest calendar classifying days according to differing interest day types, each type having an interest rate associated therewith. Lipschutz does teach the intra-day interest account management software comprises an interest calendar, the interest calendar classifying days according to differing interest day types, each type having an interest rate associated therewith (Fig 8). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rosenwald's invention to include the intra-day interest account management software comprises an interest calendar, the interest calendar classifying days according to differing interest day types, each type having an interest rate associated therewith.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Z. Shaikh whose telephone number is (571)270-03444. The examiner can normally be reached on Monday-Friday (7:30-5); alt Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mohammad Z Shaikh
Examiner
Art Unit 3609


THOMAS A. DIXON
SUPERVISORY PATENT EXAMINER